

Message Text

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21

ACTION ARA-10

INFO OCT-01 ISO-00 SNM-02 H-02 CIAE-00 INR-07 IO-11

JUSE-00 NSAE-00 TRSE-00 USIA-06 NSC-05 OES-03 OMB-01

AID-05 /053 W

----- 046710

R 032303Z FEB 76

FM AMEMBASSY BOGOTA

TO SECSTATE WASHDC 3207

INFO AMEMBASSY CARACAS

DEA/WASHDC

C O N F I D E N T I A L BOGOTA 1176

DEPT FOR S/NM

CARACAS FOR DEA

DEA HQS FOR EOIL

EO: 11652: GDS

TAGS: SNAR, CO

SUBJ: NARCOTICS: INCREASED ASSISTANCE FOR GOC - CONGRESSIONAL
PRESENTATION

REF: A. STATE 013127; B. BOGOTA 0981

SUMMARY: REFTEL A SUGGESTS THAT WE SHOW INCREASED NARCOTICS CONTROL ASSISTANCE AS PROJECT UNDER ATTORNEY GENERAL. HOWEVER, AS REPORTED IN REFTEL B, MINDEFENSE PLANNING -- UNDER PRESIDENTIAL INSTRUCTION -- PLACES ALL RPT ALL NARCOTICS INTERDICTION ACTIVITIES UNDER COMAND MOD CHIEF OF INTELLIGENCE. CONSEQUENTLY, FOR PLANNING PURPOSES AND IN ORDER AVOID MISUNDERSTANDINGS, WE WOULD PREFER TO TAG NEW ASSISTANCE PROGRAM FOR MOD, THE AGENCY WITH WHICH WE EXPECT TO SIGN NEW FY-76 AND 77 ENFORCEMENT PROJECT AGREEMENTS. WE ARE UNSURE JUST HOW THE NATIONAL COUNCIL OF DANGEROUS DRUGS WILL FIT INTO THE NEW GOC ENFORCEMENT SET UP. WE EXPECT, HOWEVER, THAT IT WILL CONTINUE TO PLAY A KEY ROLL IN NON-CONFIDENTIAL

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ENFORCEMENT ACTIVITIES. END SUMMARY

1. NOW THAT WE KNOW (BOGOTA 0981) DETAILS OF THE GOC'S DRAFT PLAN FOR REORGANIZING GOC NARCOTICS INTERDICTION EFFORTS, IT IS CLEAR THAT GOC ATTORNEY GENERAL WILL NO LONGER BE FILLING EVEN PARTIAL DRUG ENFORCEMENT COORDINATION ROLE. THE AG WILL, OF COURSE, BE PART OF INTELL/ENFORCEMENT/PROSECUTION TEAM OPERATING NATIONALLY AND REGIONALLY UNDER MOD.

2. IN FACT, ATTORNEY GENERAL HAS NEVER FUNCTIONED ACROSS-THE-BOARD AS GOC NARCOTICS COORDINATOR. THOUGH AG HAS LEGAL AUTHORITY TO "DIRECT AND COORDINATE" ACTIVITIES OF ALL JUDICIAL POLICE INCLUDING DRUG ENFORCEMENT UNITS IN DAS, F-1 AND CUSTOMS, IN PRACTICE THE AG DOES NOT HAVE THE CLOUT TO DIRECT OPERATIONS IN ANY OF THESE AGENCIES. UNLIKE OUR ATTORNEY GENERAL, THE AG IN COLOMBIA IS NOT PART OF THE EXECUTIVE ARM OF GOVERNMENT. HE IS ELECTED BY CONGRESS AND FUNCTIONS AS A PUBLIC PROSECUTOR. ADMINISTRATION OF JUSTICE (PRISONS, FORENSIC LABS, ETC) IS VESTED IN THE MINISTER OF JUSTICE, AN EXECUTIVE OFFICER NAMED BY THE PRESIDENT. BECAUSE THE COLOMBIAN AG IS NOT PART OF THE EXECUTIVE BRANCH, VARIOUS LAW ENFORCEMENT AGENCIES (WHICH ARE PART OF THE EXECUTIVE) HAVE OFTEN SUCCESSFULLY IGNORED THE ATTORNEY GENERAL'S EFFORTS TO COORDINATE THEIR JUDICIAL POLICE ACTIVITIES. THIS HAS BEEN PARTICULARLY TRUE OF DAS, WHOSE CHIEF REPORTS DIRECTLY TO PRESIDENT LOPEZ.

3. THOUGH THE GOC IS AWARE THAT WE HAVE BEEN USING -- FAUTE DE MIEUX -- THE AG AS AN INFORMAL INTERAGENCY NARCOTICS ENFORCEMENT COORDINATOR, IT IS UNABLE TO RATIFY THIS OPERATIONAL PATTERN SIMPLY BECAUSE THE ATTORNEY GENERAL IS NOT RPT NOT PART OF THE EXECUTIVE. THEREFORE, PRESIDENT LOPEZ HAS TAPPED THE MINISTRY OF DEFENSE AS THE EXECUTIVE AUTHORITY RESPONSIBLE FOR OVERALL COMMAND AND COORDINATION OF A VASTLY EXPANDED DRUG ENFORCEMENT EFFORT. WE EXPECT THAT THIS DECISION WILL BE RATIFIED BY DECREE OR LEGISLATION AS SOON AS WE RESPOND TO THE GOC'S REQUEST FOR NEW NARCOTICS CONTROL ASSISTANCE.

4. FYI. WE ARE INFORMED THAT STATE OF SEIGE PROVISIONS OR THE ABSENCE OF A STATE OF SIEGE HAVE NO RPT NO EFFECT ON THE DECISION TO USE MOD AS CENTRAL DRUG ENFORCEMENT AUTHORITY. MOD, FOR INSTANCE, ALREADY HAS RESPONSIBILITY FOR SUPERVISING THE NATIONAL CONFIDENTIAL

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POLICE, WHOSE DIRECTOR GENERAL REPORTS DIRECTLY TO THE MINISTER OF DEFENSE. END FYI.

5. IN LIGHT OF ABOVE, AND DESPITE OUR PREVIOUS SUCCESS IN USING THE GOC ATTORNEY GENERAL AS AN OPERATIONAL COORDINATOR FOR JOINT DRUG ENFORCEMENT EFFORTS, WE RECOMMEND THAT DEPT PRESENT NEW NARCOTICS PROGRAM TO CONGRESS AS A GOC MINISTRY OF DEFENSE RESPONSIBILITY UNDER THE REORGANIZATION PLAN REPORTED IN BOGOTA 0981.

6. FINALLY, WE ARE UNSURE JUST HOW THE NATIONAL COUNCIL ON DANGEROUS DRUGS WILL FIT IN THE NEW GOC NARCOTICS ENFORCEMENT GAME PLAN. THE COUNCIL HAS NEVER TAKEN A STRONG INTEREST IN INTERDICTION, BUT HAS CONSISTENTLY TAKEN THE LEAD IN REHABILITATION, EDUCATION AND DRUG ABUSE PREVENTION PROGRAMS. IT WILL PROBABLY CONTINUE TO COORDINATE THESE PROGRAMS ON THE NATIONAL LEVEL. BECAUSE THE COUNCIL IS ALSO LEGALLY RESPONSIBLE FOR DISTRIBUTING TO ENFORCEMENT AGENCIES AND TO VARIOUS NON-ENFORCEMENT PROGRAMS THE INCOME FROM FINES LEVIED AGAINST AND GOODS SEIZED FROM CONVICTED DRUG TRAFFICKERS, IT WILL ALSO LIKELY PLAY SOME PART IN ENFORCEMENT UNDER THE NEW MOD SETUP.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DRUG CONTROL, FOREIGN ASSISTANCE, PROGRAMS (PROJECTS), REORGANIZATIONS, US CONGRESSIONAL PRESENTATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 FEB 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BOGOTA01176
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760043-0056
From: BOGOTA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760289/aaaadajf.tel
Line Count: 128
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 STATE 13127, 76 BOGOTA 981
Review Action: RELEASED, APPROVED
Review Authority: coburnhl
Review Comment: n/a
Review Content Flags:
Review Date: 14 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <14 JUL 2004 by MartinML>; APPROVED <26 OCT 2004 by coburnhl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: NARCOTICS: INCREASED ASSISTANCE FOR GOC - CONGRESSIONAL PRESENTATION
TAGS: SNAR, CO, US, DEA
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006